

HOUSE No. 2783

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to quarterly estimated taxes for corporations.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Viriato Manuel deMacedo	1st Plymouth
Bradley H. Jones, Jr.	20th Middlesex
George N. Peterson, Jr.	9th Worcester
Elizabeth Poirier	14th Bristol
Paul K. Frost	7th Worcester
Susan Williams Gifford	2nd Plymouth
Robert S. Hargraves	1st Middlesex
Bradford R. Hill	4th Essex
Richard J. Ross	9th Norfolk
Todd M. Smola	1st Hampden
Daniel K. Webster	6th Plymouth

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2971 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO QUARTERLY ESTIMATED TAXES FOR CORPORATIONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Subsection (c) of section 3 of chapter 63B of the General Laws, as appearing in the
2 2006 Official Edition, is hereby amended by striking said subsection and inserting in place
3 thereof the following:—

4 (c) For purposes of this chapter, there shall be four required installments for each taxable
5 year, except as otherwise provided by this chapter. The first installment shall be paid on or
6 before the fifteenth day of the third month of the taxable year; the second installment shall be
7 paid on or before the fifteenth day of the sixth month of the taxable year; the third installment
8 shall be paid on or before the fifteenth day of the ninth month of the taxable year; and the fourth
9 installment shall be paid on or before the fifteenth day of twelfth month of the calendar year. The
10 amount of any installment shall be twenty-five per cent of the required annual payment.

11 The term “required annual payment” means the lesser of (i) ninety percent of the tax shown on
12 the return for the taxable year or, if no return is filed, ninety percent of the tax for such year, or

(ii) one hundred percent of the tax shown on the return of the corporation for the preceding taxable year, or (iii) ninety percent of the tax for the taxable year or, if no return is filed, ninety percent of tax for such year determined by using the income apportionment percentage, if any, applicable for the preceding taxable year in computing its net income subject to tax under chapter sixty-three.

Clause (ii) shall not apply if the preceding taxable year was not a taxable year of twelve months or the corporation did not file a return for such preceding taxable year showing a liability for tax.

Clause (ii) shall not apply in the case of a large corporation, as defined in section sixty-six hundred and fifty-five (g) of the Internal Revenue Code of the United States, as amended on January first, nineteen hundred and eighty-nine and in effect for the taxable year except for purposes of determining the amount of the first required installment for any taxable year; provided, however that any reduction in such first installment by reason of this provision shall be recaptured by increasing the amount of the next required installment by the amount of such reduction.

SECTION 2. Section 4A of chapter 63B of the General Laws, as so appearing, is hereby amended by striking the word “sixty-five” in line 4 and inserting in place thereof the following:--
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SECTION 3. Section 4A of chapter 63B of the General Laws, as so appearing, is hereby amended by striking the word “ten” in line 9 and inserting in place thereof the following:-- 25

SECTION 4. Section 4A of chapter 63B of the General Laws, as so appearing, is hereby amended by striking the word “ninety” in line 14 and inserting in place thereof the following:--

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35 SECTION 5. Section 4A of chapter 63B of the General Laws, as so appearing, is hereby
36 amended by striking the word “ten” in line 16 and inserting in place thereof the following:-- 25